

Draft Only  
Approval Pending  
**SUMMARY of  
PROCEEDINGS**



---

**JOINT JUDICIARY COMMITTEE**

---

**COMMITTEE MEETING INFORMATION**

April 20-21, 2017  
8:00 a.m.  
Days Inn, 115 E. Park Street  
Thermopolis, Wyoming

**COMMITTEE MEMBERS PRESENT**

Senator Leland Christensen  
Senator Liisa Anselmi-Dalton  
Senator Larry Hicks  
Senator Dave Kinskey  
Senator Tara Nethercott  
Representative Dan Kirkbride  
Representative Mark Baker  
Representative Bo Biteman  
Representative Mark Jennings  
Representative Jared Olsen  
Representative Charles Pelkey  
Representative Bill Pownall  
Representative Tim Salazar  
Representative Nathan Winters

**ADDITIONAL LEGISLATORS PRESENT**

Senator Bill Landen

**LEGISLATIVE SERVICE OFFICE STAFF**

Torey Racines, Legislative Counsel  
Jennifer Lockwood, Associate Research Analyst

**OTHERS PRESENT AT MEETING**

Please refer to [Appendix 1](#) to review the Subcommittee Sign-in Sheet  
for a list of other individuals who attended the meeting.

*The Committee Meeting Summary of Proceedings (meeting minutes) is prepared by the Legislative Service Office (LSO) and is the official record of the proceedings of a legislative committee meeting. This document does not represent a transcript of the meeting; it is a digest of the meeting and provides a record of official actions taken by the Committee. All meeting materials and handouts provided to the Committee by the Legislative Service Office, public officials, lobbyists, and the public are on file at the Legislative Service Office and are part of the official record of the meeting. An index of these materials is provided at the end of this document and these materials are on file at the Legislative Service Office. For more information or to review meeting materials, please contact the Legislative Service Office at (307) 777-7881 or by e-mail at [lso@wyoleg.gov](mailto:lso@wyoleg.gov). The Summary of Proceedings for each legislative committee meeting can be found on the Wyoming Legislature's website at [www.wyoleg.gov](http://www.wyoleg.gov).*

## EXECUTIVE SUMMARY

The Committee met for two days in Thermopolis. The Committee heard testimony and considered draft legislation concerning stalking penalties, domestic violence, sexual assaults, restraining orders and family violence, streamlined bail and forfeiture schedule, evidence-based pre-trial release policies, edible marijuana issues, post-conviction relief, child custody, child support pari-mutuel intercept, and volunteer health care. In addition, the Committee received reports regarding probation and parole effectiveness from the Department of Corrections and Judicial updates related to courtroom technology and operations.

## CALL TO ORDER APRIL 20, 2017

Chairman Christensen called the meeting to order at 8:05 a.m. The following sections summarize the Committee proceedings by topic. Please refer to [Appendix 2](#) to review the Committee Meeting Agenda. Chairman Christensen directed the Committee to review the 2017-2018 Joint Judiciary Interim Committee Rules ([Appendix 3](#)). Senator Kinskey motioned to adopt the proposed rules. The motion was seconded and carried by voice vote.

## STALKING PENALTIES, DOMESTIC VIOLENCE, SEXUAL ASSAULTS, RESTRAINING ORDERS AND FAMILY VIOLENCE

Legislative Counsel Torey Racines provided the committee with a brief overview of the interim topic ([Appendix 4](#)).

Brett Johnson, Assistant District Attorney, Natrona County District Attorney's Office, stated that consistency in statutory provisions is timely and necessary to be addressed. Mr. Johnson discussed the prior reduction in the maximum probation for domestic violence and recommended that the Committee extend the term of probation. He suggested three years as a statutory requirement and that the length of the look back period be raised. Mr. Johnson indicated that reform could also be addressed regarding the assault statute. Mr. Johnson stated that there is a problem with inconsistency in violation penalties within various types of protection orders, namely domestic violence versus criminal protection orders. Mr. Johnson would also recommend increasing the penalties for strangulation. Mr. Johnson further stated that children that grow up around domestic violence may have lifetime, ongoing physical and mental health issues and many of these children are also the product of abuse in the home. He explained that prosecutors do have tools at their disposal in order to prosecute offenders, but believes that these tools are outdated when comparing the statutes to most other states.

Tara Muir, Wyoming Coalition against Domestic Violence and Sexual Assault, addressed the Committee and provided [Appendix 5](#). Ms. Muir stated that her organization's role in the state is to provide confidential services to victims and their children, and her organization is trying to work more with Probation in order to advocate for additional treatment of offenders. Ms. Muir stated that policy solutions should be victim centered. She further explained that the common issue seems to be a lack of training for law enforcement regarding arrests in these instances. Ms. Muir suggested that there could be one protection order act, containing multiple remedies.

Senator Bill Landen thanked the Committee for addressing this issue as an interim topic and referred the Committee to review 2017 Senate File 84, Stalking – penalties ([Appendix 6](#)). Senator Landen further stated that the penalties need to be increased with more time for rehabilitation and judges need a better tool box to work with.

**Public Comment**

Judge Brian Christensen and Judge Tom Harrington, Wyoming Circuit Court, addressed the Committee. Judge Christensen stated various protection order types contain different standards. The majority of these cases are brought by individuals without representation, and both parties are often civil litigants. Judge Christensen further stated that it can be difficult to receive legal representation at a reduced cost. When a sexual assault protection order is granted in a criminal case, victims may allow the protection order to lapse, which may become a problem if the defendant receives parole. Judge Christensen explained that there are protection order cases brought within divorce matters, as it is often easier to receive a protection order as an accompaniment to a divorce proceeding rather than waiting for the case to be heard in District Court. Judge Christensen further stated that sexual assault protection orders are granted for 6 months and can be extended up to one year, which is not uniform with other protection orders that are issued for one year. Judge Harrington explained that it is challenging to rehabilitate individuals without services. Judge Harrington stated that it is difficult to comprehend what women who deal with domestic abuse go through, and when women come in to the courts, they are often under a state of duress. Judge Harrington also urged prosecutors and members of the Committee to continue to further educate themselves on these issues.

John Knepper, Wyoming Attorney General's Office, provided the Committee with additional information regarding recent U.S. Supreme Court case law relating to persons convicted of domestic violence crimes under state law being prohibited from possessing firearms under federal statute.

Cara Chambers, Victim Services Director, Wyoming Attorney General's Office, stated that the vast majority of victims may not want to involve law enforcement and may seek a civil remedy. The Victims of Crime Act rule expanded services across the state, and assistance money can now start to expand legal assistance to victims.

Colin Simpson, Wyoming Trial Lawyers Association and former Wyoming Speaker of the House and Judiciary Committee member, stated that the Judiciary Committee wrestled with these same issues while he was a part of the Committee, and has seen both sides of this discussion. Regarding 2017 SF 84, Mr. Simpson explained that lessening the standard while raising the penalty would not be of assistance. Mr. Simpson further stated that federal decisions have affected state laws on these issues, and the change in standard provided in 2017 SF 84 could lead an individual to have the ability to file a false petition.

Judge Robert Skar and Judge Tom Harrington discussed various elements of the prior bill draft 2017 SF 84 with the Committee.

Senator Kinskey requested that John Knepper prepare a memo for the Committee regarding the federal cases relating to domestic violence and firearms possession. Representative Pelkey requested LSO draft a comprehensive protection order bill by the June Committee meeting. Brett Johnson will work with LSO to provide the Committee with options regarding the consolidation and streamlining of these statutes.

**REVIEW OF PROBATION AND PAROLE EFFECTIVENESS**

Legislative Counsel Torey Racines provided an overview regarding the Legislature's Management Council's directives for the topic ([Appendix 7](#)).

Mike Blonigen, Natrona County District Attorney, explained that the Juvenile Diversion Program and a Pilot Program for Restorative Justice have both indicated that meaningful intervention has a diversionary effect. Mr. Blonigen explained the drug court program includes intensive supervision, frequent testing and graduated sanctions, but there is not enough funding to expand this program. Mr. Blonigen suggested

an expansion of diversion and intervention programs. The Intensive Treatment Unit (ITU) can have a positive effect, but has a reduced budget. There is no longer intensive outpatient treatment in the penitentiary system, so individuals have to look for programs upon release. The testing budget has been cut, and supervision levels are decreased due to increased caseloads. Mr. Blonigen explained that concentrated resources and graduated sanctions and accountability are the most effective methods. Mr. Blonigen further stated that individuals have been awarded “special good time” in order to make them eligible for release. Mr. Blonigen indicated that a monthly report filed with the courts regarding offenders would be helpful. Mr. Blonigen indicated that funding is the basis of the problem with the criminal justice system, and more funding will be needed to improve the effectiveness of criminal justice since this is an intensive system which focuses on services to people. Mr. Blonigen suggested that expanding drug courts, staffing at probation, full funding for sanctions, the restoration of ITU and the quick dip program would be helpful elements for intervention.

Bob Lampert, Director, and Steve Lindly, Deputy Director, Wyoming Department of Corrections (WDOC), addressed the Committee. Mr. Lampert provided the Committee with information regarding the divisions of the Department of Corrections, the WDOC Mission, Assessment-driven case planning, supervision and management, the core principles of intervention, recidivism rate, offender success rates, the Wyoming criminal justice population, average sentence length and average length of stay, correctional facility locations, total number of drug and DUI court agents, WDOC populations and 2016 offender supervision for Districts 1, 2, 4, 6, 7, and 9 ([Appendix 8](#)). Mr. Lampert indicated that budget cuts have led to a reduction of substance abuse treatment for inmates and available bed space. Mr. Lindly described the process of receiving “good time” for the Committee and explained the statutory provisions and rules of “good time” and “special good time.” Mr. Lampert stated that “good time” is a reward for positive behavior in prison. Senator Christensen requested that DOC reach out to the Prosecutor’s Association prior to the next meeting to discuss this issue further. Mr. Lampert provided further information regarding 2016 statewide ISP and Drug/DUI Court risk levels and supervision key concepts. Mr. Lampert additionally provided a handout to the Committee regarding sanction levels ([Appendix 9](#)).

Dan Fetsco, Executive Director and Gary Mitchell, Board member, Board of Parole, addressed the Committee. Mr. Fetsco explained that “special good time” was enacted in 2009 and only comes off of the minimum sentence, not the total sentence. Mr. Fetsco further stated that individuals who are awarded “special good time” would become parole eligible earlier. Mr. Fetsco agreed to meet with the Prosecutor’s Association prior to the next meeting to discuss “good time” release practices. Mr. Mitchell stated that as a parole board member, their first priority is community safety, the second priority is victim input and the third priority is inmate success. Mr. Mitchell explained that “special good time” is available for model prisoners. Mr. Mitchell stated that the Board of Parole is not concerned with how many beds are available within the DOC, and would not award “special good time” based upon this information. Mr. Mitchell further stated that “special good time” is not freely awarded, and is given out on a very limited basis.

Jerry Williams, President, Wyoming County and Prosecuting Attorney’s Association, stated that there used to be more misdemeanor probationers than there are currently. Mr. Williams explained that felony offenders often receive more probation services. Mr. Williams also stated that monitoring has significantly changed, and funding has decreased for testing.

Judge Brian Christensen, Circuit Court, discussed the student core supervised probation program. Judge Christensen further stated that the courts generally do not ask for presentence investigations, and allow the probation officers to perform a risk assessment to determine when an offender can be moved to unsupervised probation.

Senator Hicks asked the committee to pursue the "quick dip" and expanded graduated sanctions component, and to direct LSO to draft a bill regarding this issue for the June Committee meeting. Senator Hicks would also like to propose a select committee to review this issue. Chairman Christensen stated that this has been attempted in the past. Senator Kinskey further supported forming a select committee.

The Committee directed LSO to draft a bill regarding quick dip provisions and graduated sanctions and may discuss the possibility of a select committee at a later date.

## **REPORTS FROM DEPARTMENT OF CORRECTIONS**

Due to time constraints, Director Lampert suggested that this item be moved to the next meeting which was approved by Chairman Christensen.

## **STREAMLINED BAIL AND FORFEITURE SCHEDULE**

Torey Racines provided the committee with an overview of the topic ([Appendix 10](#)).

Lieutenant Colonel Shannon Ratliff, and Captain Scott Montgomery, Wyoming Highway Patrol, discussed the information found in 7-3, 7-4 and 7-5 of the pre-meeting materials with the Committee ([Appendix 11](#)). Mr. Ratliff discussed the proposed bill draft language, and explained that they do have another version of the bill language which is more involved, which can be provided to the Committee at the June Committee meeting.

Rhonda Munger, Deputy State Court Administrator, Judicial Branch, stated that she chairs the Bond Committee which sets the forfeiture amount that can be paid without seeing a judge. Ms. Munger explained that there is a member of law enforcement from each law enforcement agency on the Committee, and that it is the purview of the Legislature to set the fines, not the Bond Committee.

John Knepper, Wyoming Attorney General's Office, stated that many municipalities adopt the state fine schedule.

## **EVIDENCE-BASED PRE-TRIAL RELEASE POLICIES**

Chief Justice E. James Burke, Wyoming Supreme Court, referred the Committee to [Appendix 12](#). Chief Justice Burke stated that the purpose of bail is twofold: First, to ensure that the defendant will appear to upcoming hearings, and secondly, to address safety concerns. Chief Justice Burke indicated that bail often has a disproportionate effect on defendants with lower income, and individuals who are held in jail due to an inability to make bail may face additional problems. Chief Justice Burke informed the Committee that there was a meeting held recently with multiple circuit and district court judges and stated that there are many different viewpoints relating to this issue. Chief Justice Burke indicated that there are different assessment tools utilized by judges. Chief Justice Burke also provided the Committee with information regarding the evaluation being undertaken by the courts on this issue. Chief Justice Burke invited members of the Committee to be a stakeholder in upcoming discussions at the Judicial Conference in September.

Judge Christensen stated that there is a current bond schedule which varies between different charges, and provided information to the Committee regarding the bond process and the factors taken into consideration. Judge Christensen explained that not all of the counties have sureties. Judge Christensen further explained that a bond can be reviewed at any hearing.



LSO staff was not directed to complete any additional assignments regarding this issue for the June meeting.

## **EDIBLE MARIJUANA ISSUES**

Torey Racines provided an overview of the interim topic to the Committee ([Appendix 13](#)). Jennifer Lockwood provided an overview of historical research and related bill summaries ([Appendix 14](#)). Chairman Christensen led the Committee in a discussion of the topic.

John Knepper stated that this is an issue that law enforcement is dealing with throughout the state, and although the issue may be addressed differently on the federal level in the future, this issue has still not been resolved within state statutes.

Chief Roy Eckerdt, Powell Police, stated that Wyoming communities are struggling with these drug issues, and it is important to provide law enforcement with a tool to address this issue.

Byron Oedekoven, Executive Director, Wyoming Association of Sheriffs and Chiefs of Police, explained that the reason that the topic of edible marijuana must be addressed is because the Wyoming Statutes define marijuana in plant form. Changing the definition at this time may provide enough of a solution while more clarity is received on this issue.

Jerry Williams, Director, Wyoming County Prosecuting Attorney's Association, suggested that language that indicates marijuana in any form could be added. Mr. Williams stated that changing the definition would be enough at this time.

### **Public Comment**

Bob Rehbein, Riverton, addressed the Committee and provided his views regarding medical marijuana, marijuana as a gateway drug and the potential for further legislation. Frank Latta, Wyoming NORML (National Organization for the Reform of Marijuana Laws), stated that there is time to address this issue as it is not a public safety issue and suggested that allowing Colorado and Washington to work out these issues made sense. Mr. Latta discussed issues regarding Colorado's marijuana products, the issue of marijuana in Wyoming and the potential of a bill for the upcoming session. Carrie Sadderwhite, Wyoming NORML, provided information relating to a study regarding the safety of edible marijuana oil.

The Committee directed LSO to draft two alternative bills for the June meeting. One based on the Senate amendments to 17 HB 197 and the other bill based on "all forms other than plant form."

## **CALL TO ORDER (APRIL 21, 2017)**

Chairman Kirkbride called the meeting to order at 8:05 a.m. The following sections summarize the Committee proceedings by topic. Please refer to [Appendix 2](#) to review the Committee Meeting Agenda.

## **JUDICIAL UPDATES RELATING TO COURTROOM TECHNOLOGY AND OPERATIONS**

Torey Racines provided an overview of the topic to the committee ([Appendix 15](#)).

Judge Robert Skar, Judge Marvin Tyler, District Court and Lily Sharpe, State Court Administrator, addressed the Committee. Judge Skar indicated that the Judicial Branch has been working diligently on

court automation with the ultimate goal of e-filing for both the District and Circuit courts in the future. Judge Tyler explained the purpose of the Courtroom Technology Committee is to assess the state of the courtroom technology and what needs to be updated. It has been determined that many of the courtrooms are in need of improvements regarding audio and video upgrades. Judge Tyler further stated that there is an issue with the delineation of responsibility between the state and counties for what each entity is responsible. The tentative understanding is that the county would be responsible for the power and cable lines and the state would be responsible for courtroom equipment.

Lily Sharpe stated that historically, there were contracts with the court to provide internet access and in some cases the state or county has provided the internet. However, the internet within the courtrooms is not believed to be powerful enough. Ms. Sharpe indicated that there may be a need for a bill draft regarding internet access, and by June they would like to create draft bill language for sharing power and responsibility with the counties.

Judge Skar stated that this technology is valuable to the judges and it is used on a daily basis. Justice Michael Davis, Wyoming Supreme Court, stated that the federal courtrooms provided a demonstration of their courtroom technology, and the Utah and federal standards have also been reviewed. Justice Davis further stated that technology will hopefully get less expensive, but it is anticipated that it will take multiple years to complete courtroom technology upgrades.

Lily Sharpe described current ongoing technology upgrades to the Committee, including the courtroom automation fee the Judicial Branch uses to fund courtroom updates, e-filing updates, the Circuit Court Case Management System and Judges Tools Software. Ms. Sharpe explained that the upgrades are expected to be ongoing, approximately every 3-5 years. Ms. Sharpe stated that the Judicial Branch would like to bring a short bill to the next Committee meeting for the Committee's review regarding electronic sharing of form information for vital statistics.

Judge Skar further stated that the Judicial Branch has approximately twenty judges that will be retiring in upcoming years, and these positions will need to be filled. Judge Skar added that pay increases for judges will benefit the State of Wyoming by attracting well qualified candidates.

Pete Obermueller, Executive Director, Wyoming County Commissioners Association, explained that the commissioners take the role of courthouse maintenance very seriously. However, there is significant expense in maintenance, especially in the older courthouse buildings. Mr. Obermueller stated that this could create issues in the future if the Judicial Branch wants to bring new technologies and the counties don't have enough funding to maintain the required power. Mr. Obermueller suggested that the Legislature could pass a bill regarding district and circuit clerk court filing fees, which would be of assistance. Mr. Obermueller further noted that internet availability is very constrained in many areas across the state, and the courthouses are also affected.

Anne Sutton, District Court Clerk, Teton County, stated she would like to see the Committee consider addressing the District and Circuit Court Clerk filing fees. Ms. Sutton further stated that the money from the filing fees are allocated by statute. She explained that filing fees haven't been increased since 2000, and Wyoming's filing fees are among the lowest when compared with other states in the region.

John Knepper clarified that the state also contributes to filing fees in many instances where waivers are requested.

Judge Brian Christensen stated that the statutes do not provide enough guidance regarding what the state and counties are responsible for regarding courtroom technology costs. Judge Christensen further stated that technology is vital within the courtrooms, and statutory responsibility delineation would be helpful.

Chairman Christensen suggested that a bill be drafted for the June Committee meeting. Chairman Christensen also requested that LSO research the state's access to networks. Lily Sharpe will provide LSO with possible language for a bill draft after her upcoming meeting with the counties.

## **POST-CONVICTION RELIEF**

Torey Racines provided an overview of the topic to the Committee ([Appendix 16](#)).

Michelle Feldman, the Innocence Project, provided an overview regarding the work performed by her organization and of prior presentations to the Committee. Ms. Feldman stated that she has met with John Knepper to discuss the concerns regarding 2017 House Bill 144 (2017 HB 144;17LSO-0311 - New trial based on actual innocence). Ms. Feldman stated that in states that have enacted similar laws there has not been a flood of litigation. A working group could be formed with the stakeholders in order to work on any of these issues. Aaron Little, the Innocence Project, stated that in the past, they felt that they were not able to have enough substantive discussion prior to the session regarding the bill draft, and they would hope to continue conversation regarding the potential legislation.

John Knepper, Wyoming Attorney General's office, provided information to the Committee regarding the current processes available to defendants. Mr. Knepper also indicated that there are current mechanisms in place which would make it feasible for an individual to get back into the courtroom if it is determined that there is new evidence that needs to be considered. Mr. Knepper further explained the attorneys that are involved and the content of newly-considered evidence would also need to be taken into consideration. The Attorney General's Office would like to be able to challenge the sentence under post-conviction review, which would be best handled by Wyoming state court judges. Additionally, Mr. Knepper suggested that the standard could be relaxed regarding post-conviction requests. Lastly, Mr. Knepper stated that ineffective assistance of counsel can be raised on post-conviction review. Also, the time for response by the state and repeat filers could be clarified. Mr. Knepper stated that there is an issue with the way plea bargains are addressed within the bill. He requested that the Committee look at the issue of appointment of counsel within the bill draft. Representative Pelkey stated that he will work with Mr. Knepper to develop language for the bill draft prior to the June Committee meeting.

### **Public Comment**

Beth Lance, Wyoming Trial Lawyers Association, stated that her organization sees this as an important issue, and they would be happy to provide input regarding the upcoming bill draft.

Ms. Feldman addressed the concerns raised by Mr. Knepper regarding 2017 HB 144. Ms. Feldman stated that an individual cannot have their record expunged if they convicted of a violent crime. Ms. Feldman does not believe that pardoning is a viable avenue.

The Committee requested that the Chief Deputy Attorney General John Knepper and Representative Pelkey work together and provide the Committee with a draft bill by June 1.

## **CHILD CUSTODY**

Torey Racines provided an overview of the topic for the Committee ([Appendix 17](#)). Jennifer Lockwood presented an overview of research related to the topic ([Appendix 18](#)).



Representative Olsen pointed out to the Committee that the Supreme Court has qualified the determination of custody issues beyond the statutory language. The Court has held that joint custody is disfavored. This is case law which Representative Olsen would like to see the Committee consider. The Committee discussed the topic of child custody.

### **Public Comment**

Don Adams, Wyoming resident, addressed the Committee and provided an overview of [Appendix 19](#). Mr. Adams expressed his concerns and urged the Committee to support shared parenting in Wyoming. Jim Bennett, Wyoming resident, stated he believes that the way that the current law is administrated allows for some parties to receive preferential treatment. Beth Lance, Wyoming Trial Lawyers Association, stated that shared custody is allowed, typically when it is agreed upon by both parties. The Association would like to be involved in the crafting of legislation. Ms. Lance suggested that if the Legislature is looking to amend current statute, definitions need to be clarified with additional guidance regarding factors for the court to consider. Lastly, there needs to be agreement with the child support statutes if the custody statutes are modified. Tara Muir, Wyoming Coalition against Domestic Violence and Sexual Assault, stated that custody cases that come before the court often contain an element of domestic violence, which needs to be considered. Ms. Muir provided [Appendix 20](#) for the Committee's review.

The Committee directed LSO staff to draft a bill based on Arizona's custody statute and a separate bill addressing the narrow issue of requiring joint custody to be considered on equal footing as other forms of custody.

## **CHILD SUPPORT/PARI-MUTUEL INTERCEPT**

Torey Racines provided an overview of the topic to the Committee ([Appendix 21](#)).

Charles Moore, Pari-Mutuel Commission, stated that legislation would need to be created in order to provide the intercept. Mr. Moore provided [Appendix 22](#) to the Committee. Mr. Moore explained that one concern that has been raised regarding this issue is that there are 17 permitted locations with different operating hours, which could be a safety concern.

Kristi Arneson, Wyoming Department of Family Services (DFS), indicated that intercepts have been performed using lottery winnings for the past few years, and the same platform could be utilized by the Pari-Mutuel Commission. The computer system would identify individuals who owe child support by social security numbers. All winnings will be collected up to the amount owed in back child support. Ms. Arneson provided the Committee with her impression of the language in current statute that would need to be added to W.S. 20-6-106 (m)(xi)(a). Mr. Moore stated that this is not a new statutory concept, and there are multiple other states that are already intercepting pari-mutuel winnings.

### **Public Comment**

Eugene Joyce, Wyoming Horse Racing LLC, stated that this is an important topic and this does need to be addressed. Mr. Joyce explained that winners are cashed out immediately, and he is concerned about safety concerns with his employees being required to notify customers of the intercept at the time of the winning. Mr. Joyce is also concerned regarding the privacy of information such as social security numbers that would need to be input into the DFS portal. Don Adams, resident, stated that some of the databases are not as timely in terms of reporting child support payments received, and there may be concern that money could be withheld that was in fact not due for child support. Mr. Adams encouraged

the Committee to ensure that the database used is up-to-date and accurate regarding payments owed. Andrea Lamb, resident, provided the Committee with her personal experiences related to this issue. Ms. Land stated that she is in favor of legislation in this area.

Torey Racines provided information to the Committee regarding an overview of the larger issue of child support.

Kristi Arneson discussed prior guideline reviews and prior legislation with the Committee.

The Committee directed LSO to create a draft bill authorizing the interception of pari-mutuel winnings from a person whose child support was in arrears. LSO was also directed to draft a bill modifying the child support statute as suggested by Ms. Arneson on behalf of DFS. LSO staff was also directed to provide research to the Committee relating to Montana's child custody statute.

## **VOLUNTEER HEALTH CARE**

Torey Racines provided an overview of the topic to the Committee ([Appendix 23](#)).

Greg Pfister, Foundation for Government Accountability (FGA), provided an overview regarding the FGA and volunteer health care ([Appendix 24](#)). Mr. Pfister stated that volunteer health care can improve the quality of life for lower income Wyoming citizens and that more can be done to increase access to care by incentivizing care providers. Mr. Pfister provided additional information regarding the Florida volunteer health care system. Mr. Pfister explained that volunteer health care is a powerful tool with a proven track record of success, and he perceives that Wyoming could generate more than \$3.5 million annually in goods and medical services.

Eric Boley, Wyoming Hospital Association, stated that his organization is supportive of the bill, but he wonders about the liability of the facilities that allow the patient visits within their walls. They also wonder if there is a requirement of a female CNA to be present when a male doctor is meeting with a female patient. If a female volunteer is not available, he questioned if the facility would need to provide a female assistant at their own expense. Mr. Boley also questioned if the facilities would be covered with any type of immunity.

Beth Lance, Wyoming Trial Lawyers Association, stated that her organization is in support of this legislation, and they will continue to follow the bill to ensure that the patients are protected in the event of an occurrence that involves liability.

John Knepper stated that there may be some additional claims filed under the Governmental Claims Act out of the reserve fund, which does not currently cover medical malpractice on a regular basis. There are also some concerns with considering these doctors under the Governmental Claims Act in terms of liability/responsibility.

The Committee directed LSO to draft a bill based on 17HB 94 that addresses concerns raised for the June meeting.

**MEETING ADJOURNMENT**

There being no further business, Chairman Kirkbride adjourned the meeting at 4:36 p.m.

Respectfully submitted,

Representative Dan Kirkbride, Co-Chairman

# Committee Meeting Materials Index

Appendix	Agenda Item	Appendix Description	Appendix Provider
<b>1</b>	Committee Sign-In Sheet	Lists meeting attendees	Legislative Service Office
<b>2</b>	Committee Meeting Agenda	Provides an outline of the topics the Committee planned to address at meeting	Legislative Service Office
<b>3</b>	Committee Rules	2017-2018 Joint Judiciary Interim Committee Rules	Legislative Service Office
<b>4</b>	Stalking Penalties, Domestic Violence, Sexual Assaults, Restraining Orders and Family Violence	Topic Summary (Previously listed as 1-1 through 1-17 in pre-meeting materials)	Legislative Service Office
<b>5</b>	Stalking Penalties, Domestic Violence, Sexual Assaults, Restraining Orders and Family Violence	Resources for Wyoming Legislature Joint Judiciary Committee	Tara Muir, Wyoming Coalition Against Domestic Violence and Sexual Assault
<b>6</b>	Stalking Penalties, Domestic Violence, Sexual Assaults, Restraining Orders and Family Violence	2017 Senate File 84– Stalking – penalties.	Legislative Service Office
<b>7</b>	Review of Probation and Parole Effectiveness	Topic Summary (Previously listed as 2-1 in pre-meeting materials)	Legislative Service Office
<b>8</b>	Review of Probation and Parole Effectiveness	Probation and Parole Overview	Bob Lampert, Director, Department of Corrections
<b>9</b>	Review of Probation and Parole Effectiveness	Probation and Parole Sanction Levels	Bob Lampert, Director, Department of Corrections
<b>10</b>	Streamlined Bail and Forfeiture Schedule	Topic Summary (Previously listed as 7-1 and 7-2 in pre-meeting materials)	Legislative Service Office
<b>11</b>	Streamlined Bail and	Proposed changes to speeding bond	Captain Scot

JOINT JUDICIARY COMMITTEE *Summary of Proceedings*

## Forfeiture Schedule

Montgomery, Wyoming  
Highway Patrol

<b>12</b>	Evidence Based Pre-Trial Release Policies	Conference of Chief Justices, Sample initial appearance form	Chief Justice E. James Burke, Wyoming Supreme Court
<b>13</b>	Edible Marijuana Issues	Topic Summary (Previously listed as 10-1, 10-6 and 10-7 in pre-meeting materials)	Legislative Service Office
<b>14</b>	Edible Marijuana Issues	Research Summary (Previously listed as 10-2, 10-3, 10-4, 10-5 and 10-5A in pre-meeting materials)	Legislative Service Office
<b>15</b>	Judicial Updates relating to Courtroom Technology and Operations	Topic Summary (Previously listed as 4-1, 4-2 and 4-3 in pre-meeting materials)	Legislative Service Office
<b>16</b>	Post-Conviction Relief	Topic Summary (Previously listed as 5-1 and 5-2 in pre-meeting materials)	Legislative Service Office
<b>17</b>	Child Custody	Topic Summary (Previously listed as 9-1 through 9-5 in pre-meeting materials)	Legislative Service Office
<b>18</b>	Child Custody	LSO Fact Sheet – Joint Child Custody Consideration within the 50 States	Legislative Service Office
<b>19</b>	Child Custody	Estimated costs, child support articles	Don Adams, Wyoming resident
<b>20</b>	Child Custody	Understanding the Reality of Domestic Violence and Sexual Assault	Tara Muir, Wyoming Coalition Against Domestic Violence and Sexual Assault
<b>21</b>	Child Support/Pari-Mutuel Intercept	Topic Summary (Previously listed as 9-7 and 9-8 in pre-meeting materials)	Legislative Service Office
<b>22</b>	Child Support/Pari-Mutuel Intercept	Memo – Pari-Mutuel Child Support Intercepts	Charles Moore, Wyoming Pari-Mutuel Commission
<b>23</b>	Volunteer Health Care	Topic Summary (Previously listed as 8-1 through 8-6 in pre-meeting materials)	Legislative Service Office
<b>24</b>	Volunteer Health Care	Volunteer Care Fact Sheet	Greg Pfister, Foundation of Government Accountability